



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dean L. Engelhardt et al.)
Serial No. 08/486,069)
Filed: June 7, 1995)
Title: NUCLEIC ACID SEQUENCING)
PROCESSES USING MODIFIED)
NUCLEOTIDES OR NUCLEOTIDE)
ANALOGS, AND OTHER PROCESSES)
FOR NUCLEIC ACID DETECTION AND)
CHROMOSOMAL CHARACTERIZA-)
TION USING SUCH MODIFIED)
NUCLEOTIDES OR NUCLEOTIDE)
ANALOGS (As Previously Amended))

Group Art Unit: 1631

Examiner: Ardin H. Marschel,
Ph.D.

#64
Plunkett
9/28/01

527 Madison Avenue, 9th Floor
New York, New York 10022
September 20, 2001

FILED VIA EXPRESS MAIL

Honororable Commissioner of Patents and Trademarks
Washington, D.C. 20231

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. §§1.56 & 1.97-1.98

(FOLLOWING APPLICANTS' SEPTEMBER 19, 2001 FOURTH SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT)

Dear Sirs:

This paper follows Applicants' Fourth Supplemental Information Disclosure Statement that was filed on September 19, 2001 in connection with their above-identified application.

Pursuant to the provisions of 37 C.F.R. §§1.97-1.98, and in full compliance with their duty of disclosure under 37 C.F.R. §1.56, Applicants, through their attorney, are bringing the following document to the attention of the U.S. Patent and Trademark Office and the Examiner handling their above-identified application:

69/28/2001 PLUNKETT 08080801 051135 08486869
01 FC:126 180.00 CH

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EXPRESS MAIL CERTIFICATE

"Express Mail" Label No.: EL722014059US
Deposit Date: SEPTEMBER 20, 2001

I hereby certify that this paper and the attachments
herein are being deposited with the United States Postal
Service "Express Mail Post Office to Addressee" service
under 37 CFR 1.110 on the date indicated above and is
addressed to the Commissioner of Patents and
Trademarks, Washington, D.C. 20231.

MC

SEPT 20 2001

Ronald C. Fedus
Reg. Exhibit 32,567

Date

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1. Langmore, J.P. and A. V. Crewe, "Progress Towards The Sequencing Of DNA By Electron Microscopy," Proceedings Thirty-Second Annual Meeting, Electron Microscopy Society of America, August 13-15, 1974, St. Louis, Mo., Ed., Arceneaux, C., p. 376-377, (1974), Claitor's Publishing Division, Baton Rouge, LA, USA (1974) [Exhibit 1].

The above document [Exhibit 1] came to attention of Applicants' attorney during the course of a computer search related to the topic of DNA and/or sequencing. It also follows a review of Applicants' previous IDS submissions, including their Third Supplemental Information Disclosure Statement filed on March 28, 2001. The document (Exhibit 1) was subsequently ordered for submission in the present Fifth Supplemental IDS.

A completed Form PTO-1449 listing the above-submitted document (Exhibit 1) is also attached hereto as Exhibit 2.

This is the sixth IDS submitted in this application. The first IDS was filed on September 28, 1995 (102 documents) which was followed by supplemental IDS papers filed on May 23, 2000 (68 documents), March 21, 2001 (44 documents), March 28, 2001 (4 documents), and September 19, 2001 (73 documents).

By this voluntary citation of art, Applicants and their attorney are requesting that this document (Exhibit 1) be made of record in the present application.

The citation of this single document is not a representation that this document constitutes a complete or exhaustive listing, nor that the above listing necessarily includes the closest or most relevant document, nor is this document necessarily a complete listing of all documents known to Applicants or their attorney. It is simply a voluntary citation of a single document that is made in good faith, and that is not intended to serve in any way as a substitute for the Examiner's own search.

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In view of the general and specific features described and claimed in the present application, Applicants respectfully submit that the present invention is neither suggested nor disclosed by this document referred to above. The present invention is thus patentably distinct thereover.

Applicants do not believe, and do not submit, by the citation of this document, that this documents, either by itself or in combination with other documents, previously submitted or not, renders the invention *prima facie* obvious under the duty of disclosure rules.

Applicants respectfully request that the Examiner make the above-submitted document of record in the instant application. Applicants further request that the Examiner consider this document as it may relate in any way to the present application.

The fee under 37 C.F.R. §1.17(p) for filing this Fifth Supplemental Information Disclosure Statement is \$180.00. The Patent and Trademark Office is hereby authorized to charge the amount of this fee (and any other fees in connection with this Fifth Supplemental IDS to Deposit Account No. 05-1135, or to credit any overpayment thereto.

Respectfully submitted,



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